

DEC 29 2004

Atty Docket No. 019433-000620US

PTO FAX NO.: 1-703-872-9306

ATTENTION: Examiner Wood, Elizabeth D.

Group Art Unit 1755

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER Wood, Elizabeth D.**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents in re Application of MICHAEL ZIMMERMANN  
Application No. 10/772,857, filed February 4, 2004  
for MAGNESIUM AMMONIUM PHOSPHATE CEMENT COMPOSITION  
are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: 7

Dated: 29 December 2004

  
Nancy Pizzo

Documents Attached

1. SB/21 - Transmittal Form (1 pg)
2. SB/17 - Fee Transmittal Form (1 pg)
3. SB/22 - Petition for Extn. of Time - 1 month (1 pg)
4. Amendment (2 pgs)
5. Terminal Disclaimer (1 pg)

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TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
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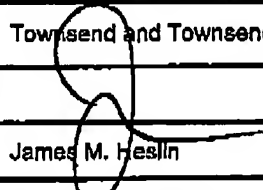
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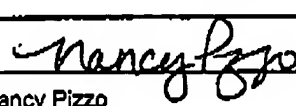
DEC 29 2004

PTO/SB/21 (09-04)

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/772,857
	Filing Date	February 4, 2004
	First Named Inventor	ZIMMERMANN, MICHAEL
	Art Unit	1755
	Examiner Name	Wood, Elizabeth D.
Total Number of Pages in This Submission	Attorney Docket Number	019433-000620US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
		Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	James M. Heslin		
Date	29 December 2004	Reg. No.	29,541

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facs/mile transmitted to the Patent and Trademark Office on the stated below.			
Fax No. (703) 872-9306			
Signature			
Typed or printed name	Nancy Pizzo	Date	29 December 2004

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PTO/SB/17 (10-04)

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 125

## Complete if Known

Application Number 10/772,857  
 Filing Date February 4, 2004  
 First Named Inventor ZIMMERMANN, MICHAEL  
 Examiner Name Wood, Elizabeth D.  
 Art Unit 1755  
 Attorney Docket No. 019433-000620US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
	** =		X		=	
Independent Claims			X		=	
Multiple Dependent			X		=	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	8	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 5
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	8	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\* or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	120	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	60
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	680	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer

65

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)125

## SUBMITTED BY

Name (Print/Type) James M. Haslin Registration No. (Attorney/Agent) 29,541 Telephone 650-326-2400  
 Signature Date 28 December 2004

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PATENT

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on 29 DECEMBER 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Nancy Pizz  
Nancy Pizz

Docket No.: 019433-000620US  
Client Ref. No.: Sanatis #1 US CON

Customer No. 20350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

MICHAEL ZIMMERMANN

Application No.: 10/772,857

Filed: February 4, 2004

For: MAGNESIUM AMMONIUM  
PHOSPHATE CEMENT COMPOSITION

Confirmation No. 6533

Examiner: Wood, Elizabeth D.

Art Unit: 1755

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the office action mailed on September 10, 2004, Applicants submit a Terminal Disclaimer over prior commonly assigned patent no. 6,692,563. It is believe that the Terminal Disclaimer overcomes the only rejection and that the application is now in condition for allowance.

Applicant also notes the following in response to questions raised in the Office Action. First, the application is complete with respect to referenced serial nos. and applicant is not aware of any errors needing correction. The information disclosure included only one page (page 3) which referenced art. That page has been acknowledged. There is no evidence to be submitted under 37 C.F.R. § 1.131 or 1.132.

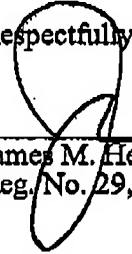
Application No. 10,772,857  
Amendment fax-filed on 29 December 2004  
Response to Office Action of 10 September 2004

PATENT

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

  
\_\_\_\_\_  
James M. Heslin  
Reg. No. 29,541

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